

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

TRICORE, INC.,

Plaintiff,

v.

SAFECO INSURANCE COMPANY OF
AMERICA, and R.P. IANNUCCILLO &
SONS CONSTRUCTION CO.,

Defendants.

CIVIL ACTION NO. 04-12393-JGD

MOTION TO EXTEND DEADLINE TO FILE OPPOSITION TO
RPI'S MOTION TO AMEND

Plaintiff Tricore, Inc. ("Tricore") hereby moves this Court for an extension of time, up to and including February 20, 2006, to file Tricore's response to the Motion to Amend filed by Defendant R.P. Iannuccillo & Sons Construction Co ("RPI").

As grounds for this Motion, Tricore states as follows:

1. Given the scope and the nature of the arguments raised in RPI's Motion to Amend, Tricore seeks additional time, up to and including February 20, 2006, so that it can fully evaluate and rebut the arguments raised in the Motion to Amend. Because of the breadth of those arguments, additional time is required to complete this briefing.

2. The requested extension will not prejudice any party to this action in any manner whatsoever. Although counsel for RPI has not yet responded to undersigned counsel's request to assent to this motion, RPI has consented to an identical extension request from Defendant Safeco Insurance Company of America ("Safeco").

3. On February 1, 2006, the Court granted an identical motion to extend filed by Safeco.

4. This motion is not submitted for the purpose of delay.

WHEREFORE, for the reasons outlined above, Tricore respectfully requests that this Court grant an extension to and including February 20, 2006 to file a response to RPI's Motion to Amend.

The Plaintiff,
Tricore, Inc.

/s/ Kerry R. Northup

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CERTIFICATE OF SERVICE

I hereby certify that I have served the within document, by mailing a copy thereof, postage prepaid, to:

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Dated: February 2, 2006

/s/ Kerry R. Northup

Kerry R. Northup